lina, 189 U. S. 426; *Parker* v. *State* (Tex. Cr. R.), 65 S. W. 1066. That the grand jury finding the indictment, and the jury trying the case, against a colored person. were composed wholly of the white race, falls short of showing that any civil right was denied, or that there was any discrimination because of color or race. *Virginia* v. *Rives,* 100 U. S. 313. When negroes are not excluded from juries by the law, or by the administration of the law, merely by reason of their color, but it happens that no colored person is on the jury convicting an accused negro, the accused is not deprived of his rights. *Thomas* v. *State,* 49 Tex. Cr. R. 633, 95 S. W. 1069. A refusal of the court to allow a modification of the venire, so that a portion of the jury shall be composed of the defendant's own race, does not deny him any right or privilege secured by law. *Virginia* v. *Rives, supra.* A prisoner is entitled to a trial by a jury of his peers, and not to a trial by a jury of any particular color or complexion. *Lawrence* v. *Commonwealth,* 81 Va. 484; *State* v. *Sloan,* 97 N. C. 499, 2 S. E. 666.

CONSTITUTIONAL LAW—VESTED REMAINDER IN PERSON SUI JURIS—SALE BY ORDER OF COURT.—A statute made provision for the sale of a vested remainder in a person sui juris by an order of court at the instance of the tenant by the curtesy or dower, when it is made to appear that the interest of all parties will be promoted by such sale. *Held,* the statute is unconstitutional in providing for the sale of the property of a person sui juris without his consent as an unwarrantable interference with the rights of property and as denying the equal protection of the laws. *Curtis* v. *Hiden* (Va.), 84 S. E. 664. See NOTES, p. 615.

CRIMINAL LAW—ASSAULT AND BATTERY—AUTOMOBILES—NEGLIGENT DRIVING—CRIMINAL INTENT.—The defendant was indicted for assault and battery for an injury inflicted upon a pedestrian while driving an automobile at a rate of speed in excess of the rate permitted by statute and dangerous to public safety. Held, the necessary malice may be implied from the doing of an unlawful thing from which injury may be reasonably apprehended. *State* v. *Schutte* (N. J.), 93 Atl. 112.

An act dangerous in itself done in reckless disregard of the rights of others is unlawful; and if injury would be the natural consequence of such an act and one is injured thereby, the aggressor is chargeable with the unlawful intent *Smith* v. *Commonwealth,* 100 Pa. St. 324; *Balee* v. *Commonwealth,* 153 Ky. 558, 156 S. W. 147; *Hill* v. *State,* 63 Ga. 578, 36 Am. Rep. 120; *Queen* v. *Martin,* L. R. 8 Q. B. D. 54. Careless or negligent driving resulting in a collision with a pedestrian and causing his death renders the wrong doer guilty of manslaughter. *Rex* v. *Walker,* 1 Car. & P. 320; *Rex* v. *Grout,* 6 Car. & P. 629. It appears that the intentional doing of an act which, by reason of its wanton or grossly negligent character, exposes another to personal injury and causes such injury, supplies the criminal intent. *Commonwealth* v. *Pierce,* 138 Mass. 165, 52 Am. Rep. 264; *Commonwealth* v. *White,* 110 Mass. 407.

The question presents itself, whether the intentional violation of a statute, thus constituting the act unlawful, will of itself supply a criminal intent sufficient to sustain a conviction of assault and battery. It was